

**A Regional Housing Needs Assessment
Pilot Program
for Southern California**

June 2006

Table of Contents

Introducing a New approach to RHNA.....	3
Draft RHNA Pilot Program Principles.....	4
<i>Table 1: Local Growth Forecast/RHNA Update Process</i>	5
Schedule and Timeline.....	9
<i>Table 2: Exiting Regional Housing Needs Assessment Statute and Proposed Regional Housing Needs Assessment Pilot Program “Draft” Schedule and Timeline</i>	9
Funding RHNA.....	10
RHNA Funding Options.....	12
Appendix A: Regional Housing Needs Assessment Pilot Program Fact Sheet.....	13

Introducing a New Approach to RHNA

The proposed framework is designed to help resolve policy issues through a growth framework based on compass growth visioning principles and AB 2158 local government survey factors as a starting point. It streamlines requirements, reduces paperwork and program cost, promotes incentives to do more than the minimum and ties together the 20 year growth forecast for transportation, air quality and housing planning in ways not envisioned in the 2004 Housing Element reform of the RHNA process. It also promotes increased local government flexibility in meeting housing allocation goals by allowing trading, transfers and cooperative planning.

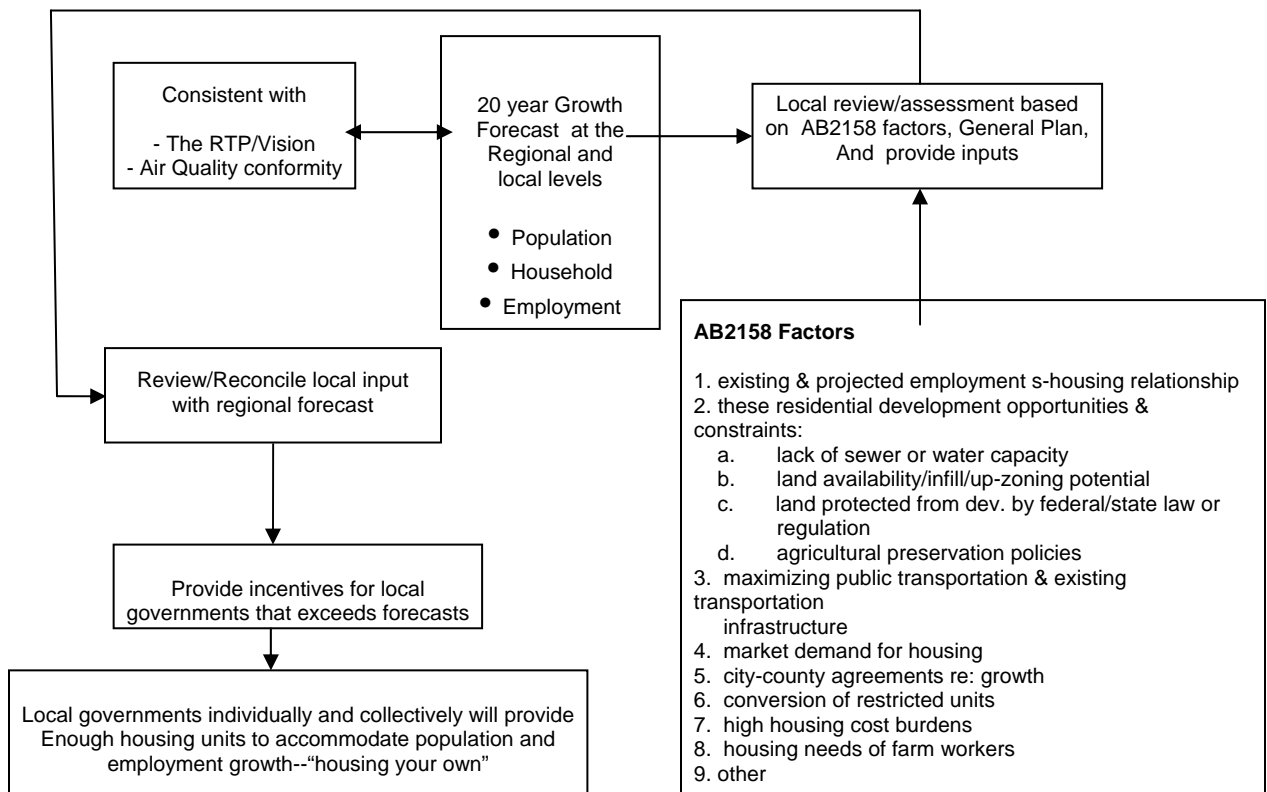
Draft RHNA Pilot Program Principles

In lieu of the provisions of Government Code sections relating to the regional housing needs process, the Southern California Association of Governments, shall prepare the fourth revision of the Housing Element Regional Housing Needs Assessment in accordance with the following;

- (1) SCAG shall develop a minimum 20 year growth forecasts, by 5-year increment.
- (2) The forecasts shall include three major variables: population, employment, and households, and by various geographic areas.
- (3) SCAG shall work to convert the households into housing units using replacement rates from the Department of Finance (DOF) and county level vacancy rates from the most recent Census by weighing vacancy rates of for-sale and for-rent units from both owner and rental units.
- (4) The methodology and allocation process shall follow the Regional Transportation Plan (RTP) Growth Forecasting Process, build upon subregion/local jurisdiction growth perspectives and consensus, which eventually leads toward a growth forecast and distribution consistent with the principles of the Regional Compass/Blueprint.
- (5) To ensure that above objectives can be accomplished, the following steps will be carried out early on during the growth forecasting process (see Table 1):
 - a. *Engage growth forecasting and allocation process to consider the 2158 factors listed under the Government Code Section 65584.04(d), which are as follows:*
 - i. *Existing and projected employment s-housing relationship*
 - ii. *Residential development opportunities and constraints:*
 - *Lack of sewer or water capacity*
 - *Land availability/infill/up-zoning potential*
 - *Land protected from development by federal/state law or regulation*
 - *Agricultural preservation policies*

- iii. *Maximizing public transportation and existing transportation infrastructure*
- iv. *Market demand for housing*
- v. *City-county agreements regarding growth*
- vi. *Conversion of restricted units*
- vii. *High housing cost burdens*
- viii. *Housing needs of farm workers*
- ix. *Other*

Table 1: Local Growth Forecast/ RHNA Update Process



(6) SCAG shall conduct a minimum of one public workshop for each subregion to provide the opportunity for public involvement.

- (7) The SCAG Regional Council shall approve the forecasts, and transmit to the State Housing and Community Development Department (HCD) at the regional level the following variables: population, households, and housing units.
- (8) If the difference between SCAG's population projection and the one projected by the DOF is over 4 percent, the Department will convene a Panel consisting of representatives from Department of Finance (DOF), Employment Development Department (EDD), Caltrans and a representative of another Council Of Government (COG) to review the assumptions and methodology of the forecast and to recommend to the Department whether or not the household forecasts and assumptions are consistent with this section or require modifications.
- (9) After reviewing the recommendations of the review panel and consulting with SCAG, the Department shall certify the SCAG forecast, certify the forecast determined by the review panel, or propose an alternative regional housing need with a written explanation for its proposal. If the Department proposes an alternative regional housing need that is not acceptable to the SCAG, the parties shall submit the matter to arbitration by an academic demographer appointed by the Department of Finance within 30 days. Within 45 days, the arbitrator shall meet with the parties, review all relevant data, and determine a final regional housing need which shall carry a presumption of validity in any court action. Any challenge to the determination of the arbitrator shall be made within 30 days.
- (10) SCAG shall follow the Regional Transportation Plan (RTP) Growth Forecasting process, build upon subregion/local jurisdiction growth perspectives and consensus and complete the Housing Need Allocation Plan twelve (12) months from the date that the Department sends notice of the validation of the SCAG forecasts.
- (11) SCAG Regional Council and Policy Committees shall appoint and work with appropriate subcommittees and technical advisory committees to establish a public review process to discuss, debate, and reach consensus on various policy issues that ultimately will determine key methodologies required to complete

the Regional Housing Allocation Plan. In addition to those “2158 factors” listed under (5)(b), including but not limited to

- a. Appropriate factors in determining housing unit allocation by local jurisdiction,
- b. Appropriate factors in determining housing unit allocation by income,
- c. Appropriate level of resources for producing affordable housing,
- d. Appropriate level of incentives or regulatory relief for land use strategies and designations consistent with the regional growth forecast
- e. Principles of trade and transfer.

(12) The Housing Need Allocation Plan shall allocate a lower allocation of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category.

(13) SCAG, and/or the subregional entity, as appropriate, shall conduct a minimum one public workshop for each subregion to further provide the opportunity for public involvement and comment on the housing need allocation plan

(14) Local jurisdictions shall review and comment on the Housing Need Allocation Plan based on evaluating the factors listed in item (5).

(15) SCAG shall respond at the conclusion of the local jurisdictional review by facilitating a trading process.

(16) The principles and criteria for trade and transfer include:

- a. The trading is authorized between willing jurisdictions within a well-defined commuting shed as can be defined with statistics from the 2000 Census Transportation Planning Package.*
- b. The trade and transfer will not adversely impact the mobility and air quality.*
- c. The trade and transfer will not further impact on the concentration of low income households and housing units.*
- d. SCAG, to the extent of possible, shall attempt through its regional planning efforts, to pool and target resources in the form of infrastructure investment and regulatory relief to facilitate and support*

the trade and transfer efforts that are deemed consistent with the adopted Regional Compass/Blueprint principles.

e. SCAG will work to allocate discretionary state and regional dollars to incentivize trading.

- (17) The detail trading policies and process shall be developed by SCAG, appropriate Technical Committees, subregions/local jurisdictions, and others, and adopted by RC within 180 days from the effective date of this section.
- (18) The Regional Council of SCAG shall approve the Housing Need Allocation Plan and provide for a public review period of not less than ninety (90) days nor more than (120) one-hundred and twenty days for consideration of trades and transfers of need share between two or more jurisdictions region wide requesting same.
- (19) SCAG shall issue written findings at the conclusion of the trades and transfers public review period summarizing the requests made and any changes made to the Regional Need Allocation Plan as a result of the review that will not significantly impact mobility and air quality, and are consistent with the goals and intent of this section. These trades and certification shall occur prior to the adoption of the final allocation and shall not exacerbate current disproportionate shares of population by income category.
- (20) The SCAG Regional Council shall approve the final Regional Housing Need Allocation Plan with findings that the Plan is consistent with the objectives of this section, consistent with the Regional Transportation Plan and submit it to the Department.
- (21) SCAG shall delegate development of the Housing Need Allocation Plan, consistent with Section 65584.01(e)(6) through (10) to subregional entities, provided the subregional entity agrees to maintain the subregional total of housing need throughout the process and submits the final Regional Housing Need Allocation Plan for inclusion in the region-wide Housing Need Allocation Plan.

Schedule and Timeline

The schedule and milestones of the proposed Pilot RHNA program and the existing deadlines in housing law are provided here for comparison. If the RHNA Pilot Program is signed into law, the RHNA adoption date would be the same under the Pilot Program as it is under existing statute. Nevertheless funding issues may impact the proposed timelines as implementing a RHNA fee may be difficult to achieve.

**Table 2: Existing Regional Housing Needs Assessment Statute
and
Proposed Regional Housing Needs Assessment Pilot Program
“Draft” Schedule and Timeline**

	Existing Statute ¹	Pilot ²
Planning Period	2008-2014	2008-2030
	RTP/RHNA	RTP/Compass/RHNA
Consultation	Nov 1, 2005	
Local Survey	Jan 1, 2006	
Formation of Subregional Delegation	Mar 1, 2006	
Determine Statewide Need	May 1, 2006	Jun 2006
Subregional Delegation, Local Review Workshops, Pursue Legislation Change		Jul 2006
Draft Allocation Method	Jun 30, 2006	
Draft Local Allocation		Dec 2006
Workshops/Comments, Appeals/Provisions, Determinations	Sept 1, 2006	
Policy Discussion, Fair Share/Blueprint/ Allocation by Income		Sept - Dec 2006
Adoption of Final Methodology	Oct 1, 2006	Jan 2007
Trade and Transfer	Nov 15, 2007 - Jun 30, 2008	Jan 2007 - Jun 2007
Draft RHNA	Jan 1, 2007	
Revise Local Share	Mar 1, 2007	
Determination of Revision	Mar 1, 2007	
RHNA Adoption	Jul 1, 2007	Jul 1, 2007
Appeal	Jun 1, 2007	
Public Hearing on RHNA Adoption	Sept 15, 2007	
Proposed RTP Adoption	Dec 2007	Dec 2007
Local Housing Elements Due to State HCD	Jul 1, 2008	Jul 1, 2008

¹ **CURRENTLY SCAG IS AT LEAST 6 MONTHS BEHIND SCHEDULE. THE RHNA FEE ISSUE IS STILL UNRESOLVED.**

² Statutory change is needed.

Funding RHNA

The RHNA funding issue is still unresolved at this time. The Regional Council authorized the sending of a letter to the State Housing and Community Development Department on March 3, 2006 requesting an extension of the RHNA due date of June 30, 2007 for up to two years to allow coordination with the new four year Regional Transportation Planning cycle and to allow the state legislature time to enact program changes, including identification and appropriation of state funding to support the RHNA and the adoption of a 20 year housing planning approach for communities.

Funding of this new coordinated transportation and housing process was also anticipated to be a shared expense between the California Blueprint growth visioning program and appropriate resources from the Commission on State Mandates. However, the commission on state mandates has ruled that SCAG is not an eligible claimant and thus may not seek reimbursement from the state for its RHNA costs.

The challenge ahead is to meet reform expectations in a timely manner that complies with statutory deadlines for both the RHNA and local housing element submission, while resolving the RHNA funding issue. The current housing statute calls for a RHNA fee on local governments to fund this state-mandated program. Imposing a fee on local government for RHNA is legally and politically uncertain. SCAG and ABAG have worked jointly on legislation AB 2307 (Mullin), which also includes a time extension to coordinate a longer (up to four year) Transportation Planning cycle and, potentially, a RHNA Pilot Program into state housing law and eliminates the RHNA fee authority. We have independently been working toward separate state budget appropriation to fund RHNA. The current statute and the proposed Pilot Program call for RHNA to be completed by June 30, 2007.

A funding estimate has been developed for the next RHNA. One estimate is for a RHNA based on our Pilot Program concept and the other is based on developing a RHNA under existing law. The resources for funding an integrated transportation, air quality and housing plan are: federal transportation funds, federal California Blueprint grant funds and State RHNA funds.

A concern we have with using Blueprint funding and federal transportation CPG funds is compliance with federal requirements and the added cost of local match. There is a 20% match in the case of Blueprint funds and 11.47% in the case of federal transportation dollars. State RHNA funds carry no match requirement nor are these funds burden with meeting federal transportation spending requirements.

Staff estimates that about \$550,000 of the existing Blueprint Compass grant money could be utilized since it funds tasks which are common to the RTP and RHNA. Because of this linkage we would be in compliance with federal requirements. However, approximately, \$187,000 of this amount is in second year funding for a trade, transfer and incentive plan for which we have not yet received a funding commitment. We would also have to provide a 20% match of approximately \$137,500 to support the \$550,000 Blueprint grant expenditure. We would also be matching our federal CPG funds.

Approximately, \$700, 000 in FY 2005-2007 overall work program resources is available and supports our growth forecast process for transportation/ air quality. Because of a streamlined process proposed in our proposed Pilot RHNA Program, staff estimates we would need approximately \$500,000 in state RHNA funds. If we are required to do the RHNA under existing law, the funding needed from the state rises to \$1 million. Consequently, the RHNA Pilot Program results in a \$500,000 cost savings as follows:

Pilot RHNA

FY 2005 - 2007 OWP funds:	\$700,000
Blueprint Compass grant:	\$550,000 *
State RHNA funds	\$500,000
Total	\$1,750,000

RHNA Under Existing Law

FY 2005 - 2007 OWP funds:	\$700,000
Blueprint Compass grant:	\$550,000 *
State RHNA funds	\$1,000,000
Total	\$2,250,000

*Approximately \$187,000 in uncommitted second year Blueprint funds

RHNA Funding Options

There are several options to make up the funding gap, including the following resources, either separately or in some combination:

- A new RHNA fee as allowed in current statute: SB 1102 (2004) - Allows a Fee to Distribute Regional Housing Need and SB 253 (2005) - Allows a Fee for Determining Regional Housing Needs
- Use of the SCAG General Fund
- Potential use of California Blueprint grant funds in the next funding cycle if approved by Caltrans
- Re-instatement of reimbursement eligibility from the Local State Mandate Commission
- Seek a state budget appropriation to fund RHNA activities

Appendix A: Regional Housing Needs Assessment Pilot Program Fact Sheet



Project Goal

The Pilot program provides the Southern California Association of Governments (SCAG) with the opportunity to undertake an alternate Regional Housing Needs Assessment Process (RHNA) which would demonstrate the viability of utilizing 20 year housing planning consistent with the Regional Transportation, Air Quality and the Regional Compass Blueprint growth vision.

Project Description

The current regional housing need allocation process as described in California Government section 65584 requires the compilation and coordination of numerous data sources, many of which are not broadly available, and which are not readily applicable to the task of allocating housing need to jurisdictions. The program also requires an overly strenuous public process with several interim program milestones each with a statutory deadline. The likely result of the current statutory process is a complex, costly, technical process that becomes separated from the broader, policy-based planning work performed by a region. The SCAG RHNA Pilot Program is based on the application of simple principles, on open policy dialogue and trade-offs, and in a way that supports long range regional planning, generally. It also more closely ties the growth forecast to the RTP/ Compass Blueprint in ways not envisioned by the AB 2158 RHNA law revision of 2004.

Products

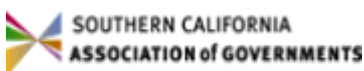
The allocation of housing would flow from the region's forecasting work. Local agencies would have the opportunity to make comments to the region based on technical factors listed in the current statute. A new process for engaging local governments in a trade and transfer process would add a policy element to the program, resulting in a Pilot 2007 Regional Housing Needs Assessment.

Cost

The costs are expected to be less than would be incurred for the current RHNA process. The proposal provides SCAG the opportunity to demonstrate a new methodology for the RHNA process that emphasizes subregional delegation, a longer range forecast for housing tied to transportation and air quality planning and extensive local input at the front end of the process. Currently, the Commission on State Mandates has ruled that ABAG and SCAG are not eligible to seek reimbursement for RHNA costs, SCAG and ABAG are pursuing legislation which would restore the ability to COGs to make a claim to the Commission for reimbursement and remove the RHNA fee based approach from the statute.

Who Benefits

SCAG has had discussions with the Secretary of Business Transportation and Housing regarding the goal that the program function based on application of simple principles, on open policy dialogue and trade-offs, and in a way that support regional planning, generally. The proposed Pilot Program would provide an opportunity to demonstrate that goal by greatly simplifying the technical and procedural requirements of the program, while at the same time, allowing local governments to see that their concerns are addressed.



Contact Person: Joseph Carreras, Project Manager, SCAG @
(213)236-1856